

Message Text

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PAGE 01 JOHANN 02132 031407Z

43

ACTION AF-08

INFO OCT-01 EUR-12 ISO-00 CIAE-00 COME-00 EB-07 INR-07

LAB-04 NSAE-00 SIL-01 PA-01 PRS-01 USIE-00 INRE-00

SSO-00 NSCE-00 PM-04 NSC-05 SP-02 SS-15 IO-13 /081 W

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FM AMCONSUL JOHANNESBURG

TO SECSTATE WASHDC IMMEDIATE 5361

INFO AMCONSUL CAPE TOWN

AMEMBASSY PRETORIA

USMISSION EC BRUSSELS

AMCONSUL DURBAN

AMEMBASSY GABORONE

AMEMBASSY MAPUTO

AMEMBASSY MASERU

AMEMBASSY MBABANE

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E.O. 11652: DECON AFTER ONE YEAR

TAGS: ELAB, PINT, SF

SUBJECT: MINISTER OF JUSTICE STATEMENT ON BANNINGS

REF: (A) JOHANNESBURG 2109; (B) STATE 285209 (NOTAL)

1. IN A PUBLIC STATEMENT ISSUED AFTER TALKS ON DECEMBER 2 WITH A DELEGATION FROM THE TRADE UNION COUNCIL OF SOUTH AFRICA (TUCSA), MINISTER OF JUSTICE JIMMY KRUGER SAID THE BANNING OF 27 PEOPLE INVOLVED WITH BLACK LABOR MOVEMENT ACTIVITIES WAS NOT A MOVE AGAINST THE TRADE UNIONS BUT RELATED TO THEIR PERSONAL ACTIVITIES. THE TUCSA DELEGATION CONSISTED OF GENERAL SECRETARY J.A. GROBBELAAR, FIRST VICE PRESIDENT R.C. WEBB (COLORED) AND SECOND VICE PRESIDENT A. MALHERBE.

2. KRUGER SAID "I INFORMED THE DELEGATION THAT THE ACTION TAKEN AGAINST THE PEOPLE INVOLVED RELATED TO THEIR PERSONAL
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PAGE 02 JOHANN 02132 031407Z

ACTIVITIES AND NOT TO THE ACTIVITIES OF TRADE UNIONS THEY MAY

INCIDENTALLY HAVE LINKS WITH. THIS MUST BE EVIDENT FROM THE FACT THAT THE OVERWHELMING MAJORITY OF THE 27 PEOPLE CONCERNED ARE NOT FACTORY WORKERS, HAVE NEVER BEEN FACTORY WORKERS AND ARE NOT TRADE UNIONISTS. THEY MOSTLY WERE INVOLVED WITH ORGANISATIONS, FINANCED AND DIRECTED FROM BEYOND SOUTH AFRICAN BORDERS TO OPERATE AMONGST WORKERS BUT OUTSIDE THE TRADE UNIONS AND THEREFORE WITHOUT WORKER PARTICIPATION AND WITHOUT RESPONSIBILITY TO THE WORKERS. THE ACTION TAKEN IS NOT AN INDICATION OF AN INTENTION TO INTERFERE WITH OR TO INHIBIT BONA FIDE TRADE UNION ACTIVITIES OF INDIVIDUALS OR UNIONS. ALTHOUGH BLACK TRADE UNIONS ARE NOT RECOGNISED BY LAW, THEY ARE NOT ILLEGAL AND I HAVE NOT PLACED RESTRICTIONS ON RESPONSIBLE BLACK TRADE UNION LEADERS, NOR DO I CONTEMPLATE DOING SO. I HAVE ACTED AGAINST THE PEOPLE CONCERNED BECAUSE I WAS CONVINCED THAT THEIR ACTIVITIES ENDANGER THE MAINTENANCE OF PUBLIC ORDER. I WAS FURTHERMORE CONVINCED THAT NOT TO HAVE ACTED AGAINST THEM WOULD HAVE CONSTITUTED A FAILURE IN MY DUTY TO PROTECT NOT ONLY SOUTH AFRICA AS A WHOLE BUT IN PARTICULAR ALSO THE WORKERS AND THEIR TRADE UNIONS."

3. GROBBELAAR IS QUOTED IN THE PRESS AS SAYING, "MR. KRUGER'S STATEMENT WAS A LOAD OFF MY MIND, ALTHOUGH I AM STILL PERTURBED BY EXECUTIVE ACTION BEING TAKEN AGAINST PEOPLE WITHOUT THE BENEFIT OF A TRIAL IN AN OPEN COURT. I WILL CONVEY THESE VIEWS TO THE INTERNATIONAL TRADE UNION MOVEMENT IN RESPONSE TO THEIR QUERIES."

4. COMMENT: IN ADDITION TO SIDE STEPPING THE BASIC QUESTIONS OF HUMAN RIGHTS INVOLVED, KRUGER'S STATEMENT REFLECTS THE BASIC AMBIVALENCE OF THE SAG TOWARD BLACK TRADE UNION ACTIVITIES. J.A. SMIT, HONORARY GENERAL SECRETARY OF THE ALL WHITE SOUTH AFRICAN CONFEDERATION OF LABOR (SACL) TOLD THE LABOFF ON DEC 2 THAT SAG POLICY IS TO DISCOURAGE BLACK TRADE UNION ACTIVITY EVERYWHERE IN SOUTH AFRICA EXCEPT THE HOMELAND AREAS. NEVERTHELESS, THE INCREASING COMPLEXITY OF A RAPIDLY INDUSTRIALIZING SOCIETY REQUIRES INSTITUTIONALIZED WORKER LIMITED OFFICIAL USE

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PAGE 03 JOHANN 02132 031407Z

REPRESENTATION IN ORDER TO CONDUCT EFFECTIVE LABOR-MANAGEMENT RELATIONS. BLACK WORKS OR LIAISON COMMITTEES CANNOT COMPLETELY SERVE THIS PURPOSE PARTICULARLY WHEN MANY BLACK WORKER FRUSTRATIONS SUCH AS HOUSING AND EDUCATION ARE OUTSIDE THE WORKPLACE CONTEXT. JOHNSON

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